IN THE SUPREME COURT OF THE STATE OF HAWAI'I

IN THE MATTER OF DIRECTOR, DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS, Respondent/Complainant-Appellant

VS.

KIEWIT PACIFIC COMPANY,
Petitioner/Respondent-Appellee

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (CIV. NO. 00-1-1957)

ORDER DENYING APPLICATION FOR WRIT OF CERTIORARI

(By: Acoba, J., for the court¹)

The Application for Writ of Certiorari filed on February 9, 2004 by Petitioner/Respondent-Appellee Kiewit Pacific Company is hereby denied.

DATED: Honolulu, Hawai'i, February 18, 2004.

FOR THE COURT:

Brian G.S. Choy and Keith M. Yonamine (Law Offices of Brian G.S. Choy), on the writ.

Associate Justice

 $^{^{\}mbox{\tiny 1}}$ Considered by Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.